

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

DENNIS RAYBOULD AND DIANCE RAYBOULD,

No. 6:13-cv-1966-TC
O R D E R

Plaintiffs,

vs.

JPMORGAN CHASE BANK, N.A.,

Defendant.

AIKEN, Chief Judge:


Magistrate Judge Coffin filed his Findings and Recommendation on February 24, 2014. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When a party objects to any portion of the Magistrate's Findings

and Recommendation, the district court must make a de novo determination of that portion of the Magistrate's report. 28 U.S.C. § 636(b)(1)(B); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiffs filed objections (doc. 13) to the Findings and Recommendation. Defendant declined to file any response. I have, therefore, given the file of this case a de novo review. I ADOPT the Magistrate's Findings and Recommendation (doc. 13) and grant defendant's motion to dismiss plaintiffs' FDCPA claim with prejudice, and further grant plaintiffs' alternative motion to make more definite and certain regarding plaintiff's remaining claims. Specifically, plaintiffs are granted leave to refile their remaining claims within 30 days of the date of this Order. Plaintiffs' failure to refile within 30 days of this Order may result in the dismissal of this action for failure to prosecute and failure to follow a court order.

IT IS SO ORDERED.

Dated this 3rd day of April 2014.



Ann Aiken
United States District Judge